



PATENT

Attorney Docket No. 14923US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARC D. BETTER et al.

Serial No.: 10/816,276

Filing Date: March 31, 2004

For: HUMAN ENGINEERED
ANTIBODIES TO EP-CAM

Examiner: unassigned

Group Art Unit No.: 1653

Confirmation No.: 1162

Customer No.: 23446

)
)
)
) **EXPRESS MAIL NO. EV 326569000 US**

) **DATE OF MAILING: September 17, 2004**

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

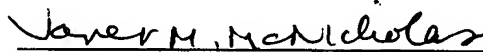
This is in response to the Notice to File Missing Parts (the "Notice") dated May 17, 2004 in the above-identified application. This response is filed with the appropriate Petition for a Two-month Extension of Time.

In the Notice, the oath/declaration was identified as missing. Enclosed for filing herewith is an original executed Declaration and Power of Attorney.

In the Notice, a \$65 surcharge under 37 C.F.R. §1.16(e) is requested. The Commissioner is further authorized to charge any deficiency or credit any excess portion of this fee to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Dated: September 17, 2004



Janet M. McNicholas, Ph.D.
Reg. No. 32,918

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, Suite 3400
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100



PATENT
Attorney Docket No. 14923US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
MARC D. BETTER et al.)	
Serial No.: 10/816,276)	EXPRESS MAIL NO. <u>EV 326569000 US</u>
Filing Date: March 31, 2004)	DATE OF MAILING: <u>September 17, 2004</u>
For: HUMAN ENGINEERED)	
ANTIBODIES TO EP-CAM)	
Examiner: unassigned)	
Group Art Unit No.: 1653)	
Confirmation No.: 1162)	
Customer No.: 23446)	

TRANSMITTAL LETTER

Mail Stop ***Missing Parts***
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for appropriate action are the following :

1. Petition for two (2) month extension of time (including \$210.00 check);
2. A Response to the Notice to File Missing Parts of Nonprovisional Application
(including \$65 check);
3. A copy of the Notice to File Missing Parts of Nonprovisional Application,
dated May 17, 2004;
4. An executed Declaration for Patent Application and Power of Attorney; and
5. One return postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Dated: September 17, 2004

Janet M. McNicholas
Janet M. McNicholas, Ph.D.
Reg. No. 32,918

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, Suite 3400
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100



09/20/04
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,276	03/31/2004	Marc D. Better	14923US02/100-266

Janet M. McNicholas, Ph.D.
McAndrews, Held & Malloy, Ltd.
34th Floor
500 West Madison
Chicago, IL 60661



CONFIRMATION NO. 1162
FORMALITIES LETTER



OC000000012687195

Date Mailed: 05/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

09/20/2004 JBALINAN 00000081 10816276

01 FC:2051

65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE